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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

MATTHEW R. HYRE ET AL

: Art Unit: 1731

Serial No: 10/005,682

: Examiner: Carlos N. Lopez

Filed: December 5, 2001

: Docket No: 5356-05

For: GLASS CONTAINER FORMING MACHINE

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING
DEPOSITED WITH THE UNITED STATES POSTAL SERVICE
AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO:
COMMISSIONER OF PATENTS AND TRADEMARKS, P.O. BOX 1450
ALEXANDRIA, VA 22313-1450 on Oct. 4, 2004

John L. Diener

Hon. Commissioner of Patents
and Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

NOTICE OF APPEAL

Applicant hereby appeals to the Board of Appeals from the decision dated
June 2, 2004 of the Primary Examiner finally rejecting claims 1-4.

The Commissioner is hereby authorized to charge the fee required for a one
month extension of time (\$110.00) extending the time for reply to October 2, 2004 and
the filing fee for the Notice of Appeal (\$340.00), as well as payment of any other fees
in connection with this paper or credit any overpayment to Deposit Account No.
50-0696. For this purpose, a duplicate copy of this Notice is enclosed.

10/08/2004 MAHMED1 00000036 500696 10005682

01 FC:1401 340.00 DA
02 FC:1251 110.00 DA

Respectfully submitted,

By *Spencer T. Smith*
Spencer T. Smith
Attorney for Applicants
Reg. No. 25,926

October 4, 2004
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APPEAL FOR